IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5945 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

1 to 5 No

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JETHABHAI RAMABHAI

Versus

STATE OF GUJARAT, NOTICE TO BESERVED THROUGH THE SECRETARY

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Appearance:

1. Special Civil Application No. 5945 of 1987

MR PH PATHAK for Petitioners No. 1-3

MR AJ DESAI AGP for Respondents No. 1-2

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CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 01/11/2001

ORAL JUDGEMENT

1. This petition under Article 226 of the Constitution has been filed by three workmen of the respondents with a prayer to regularise the services from

the initial date of their appointments with consequential benefits. As at the time of filing of the petition the petitioners apprehended termination of their services, interim relief restraining the respondents from terminating their services was prayed and was also granted with a qualification that the services could have been terminated in accordance with law.

2. No affidavit-in-reply is filed on behalf of the respondents. The learned counsel for the petitioners fairly conceded that soon after filing and during the pendency of the petition, the petitioners concerned have been accorded the benefit of the Government Resolution dated 17.10.1988 and as the petitioners are not pressing for any further relief, the petition has become infructuous.

3. Accordingly, the petition is disposed as having become infructuous. Rule is discharged and interim relief is vacated with no order as to costs.

Sd/-

01.11.2001 ( D.H.Waghela, J.)

(KMG Thilake)